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2014 JAN 23 PM 3:51

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

7 Attorney for Defendant
8 DENA WOODWARD

9
10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 DENA WOODWARD, an individual

CV 14-00560-R2
Case No. _____

13 Plaintiff,

14 v.

15 **VERIFIED COMPLAINT FOR
DAMAGES**

16 GC SERVICES, a limited partnership,
17 and DOES 1 through 10,

18 **DEMAND FOR JURY TRIAL**

19 Defendants.

20
21 Plaintiff DENA WOODWARD, for its Complaint against Defendants and
22 each of them, alleges as follows:

23 **INTRODUCTION**

24 1. The United States Congress has found abundant evidence of the use
25 of abusive, deceptive, and unfair debt collection practices by many debt collectors,
26 and has determined that abusive debt collection practices contribute to the number
27 of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions
28 of individual privacy. Congress wrote the Fair Debt Collection Practices Act, 15

1 U.S.C. 1692 et seq (hereinafter "FDCPA"), to eliminate abusive debt collection
2 practices by debt collectors, to insure that those debt collectors who refrain from
3 using abusive debt collection practices are not competitively disadvantaged, and to
4 promote consistent State action to protect consumers against debt collection
5 abuses.¹

6 2. The California legislature has determined that the banking and credit
7 system and grantors of credit to consumers are dependent upon the collection of
8 just and owing debts and that unfair or deceptive collection practices undermine
9 the public confidence that is essential to the continued functioning of the banking
10 and credit system and sound extensions of credit to consumers. The Legislature has
11 further determined that there is a need to ensure that debt collectors exercise this
12 responsibility with fairness, honesty and due regard for the debtor's rights and that
13 debt collectors must be prohibited from engaging in unfair or deceptive acts or
14 practices.²

15 3. DENA WOODWARD, (hereinafter "Plaintiff"), by Plaintiff's
16 attorneys, brings this action to challenge the actions of GC SERVICES, a limited
17 partnership, (hereinafter "Defendant GCS"), with regard to attempts by
18 Defendants, debt collectors, to unlawfully and abusively collect an debt allegedly
19 owed by Plaintiff, and this conduct caused Plaintiff damages.

20 4. For the purposes of this Verified Complaint for Damages, unless
21 otherwise indicated, "Defendant" includes all agents, employees, officers,
22 members, directors, heirs, successors, assigns, principals, trustees, sureties,
23 subrogates, representatives and insurers of Defendant(s) named in this caption.

JURISDICTION AND VENUE

25 5. Jurisdiction of this Court arises pursuant to 28 U.S.C. § 1331 and 15
26 U.S.C. § 1692k(d), and 28 U.S.C. § 1367 for supplemental state law claims.

27
28¹ 15 U.S.C. 1692(a)-(e)

² Cal. Civ. Code 1788.1 (a)-(b)

6. This action arises out of Defendants' violations of the following: the Rosenthal Fair Debt Collection Practices Act, California Civil Code §§ 1788-1788.32 (RFDCPA), the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et seq.*

7. Because Defendant does business within the State of California, personal jurisdiction is established.

8. Venue is proper pursuant to 28 U.S.C. § 1391.

PARTIES

9. Plaintiff is a natural person who resides in the City of Claremont, County of Los Angeles, State of California and is obligated or allegedly obligated to pay a debt and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).

10. Plaintiff is a natural person from whom a debt collector sought to collect a consumer debt which was due and owing or alleged to be due and owing from Plaintiff and is a “debtor” as that term is defined by California Civil Code § 1788.2(h).

11. Plaintiff is informed and believes, and thereon alleges, that Defendant GCS is a company operating from the City of Irwindale, County of Los Angeles, State of California.

12. Plaintiff is informed and believes, and thereon alleges, that Defendant conducted business from the City of Irwindale, County of Los Angeles, State of California.

13. Plaintiff is informed and believes, and thereon alleges, that Defendant is a person who uses an instrumentality of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another and are "debt collectors" as that term is defined by 15 U.S.C. § 1692a(6).

14. Plaintiff is informed and believes, and thereon alleges, that

1 Defendants are not attorneys or counselors at law and are persons who, in the
2 ordinary course of business, regularly, on behalf of themselves or others, engages
3 in debt collection as that term is defined by California Civil Code § 1788.2(b), and
4 are “debt collectors” as that term is defined by California Civil Code § 1788.2(c).

5 15. This case involves money, property or their equivalent, due or owing
6 or alleged to be due or owing from a natural person by reason of a consumer credit
7 transaction. As such, this action arises out of a “consumer debt” and “consumer
8 credit” as those terms are defined by Cal. Civ. Code § 1788.2(f).

9 **FACTUAL ALLEGATIONS**

10 16. At all times relevant, Plaintiff was an individual residing within the
11 State of California.

12 17. Plaintiff is informed and believes, and thereon alleges, that at all times
13 relevant Defendant conducted business in the State of California.

14 18. Sometime before September 6, 2013, Plaintiff allegedly incurred
15 financial obligations to CHASE BANK that were money, property, or their
16 equivalent, which is due or owing, or alleged to be due or owing, from a natural
17 person to another person and were therefore “debt(s)” as that term is defined by
18 California Civil Code §1788.2(d), and a “consumer debt” as that term is defined by
19 California Civil Code §1788.2(f).

20 19. These financial obligations were primarily for personal, family or
21 household purposes and are therefore “debt(s)” as that term is defined by 15
22 U.S.C. §1692a(5).

23 20. Plaintiff was current on her CHASE BANK account and had not
24 defaulted on her payments.

25 21. Plaintiff is informed and believes, and thereon alleges, that
26 subsequently, but before September 6, 2013, the alleged debt was erroneously
27 assigned, placed, or otherwise transferred, to Defendant GCS for collection.

28 22. Prior to September 11, 2013, Defendant made several attempts to

1 contact Plaintiff on her cell phone and work phone number. Plaintiff did not
2 answer those calls, as she did not recognize the number on caller ID.

3 23. On September 11, 2013, Defendant GCS, through its agent, contacted
4 Plaintiff at her place of employment. Plaintiff answered and requested that the
5 Defendant refrained from contacting Plaintiff at her place of employment.

6 24. This telephone message to Plaintiff was a “communication” as that
7 term is defined by 15 U.S.C. §1692a(2), a “debt collection” as that term is defined
8 by California Civil Code §1788.2(b), and an “initial communication” with Plaintiff
9 consistent with 15 U.S.C. §1692g(a).

10 25. Defendant called Plaintiff again on September 17, 2013 to attempt to
11 collect a debt that Plaintiff did not owe.

12 26. Plaintiff returned Defendant’s phone call and spoke with a GCS
13 representative in an attempt to again explain to Defendant that the CHASE BANK
14 account was current and to have GCS stop calling her.

15 27. Defendant GCS continued to make calls to Plaintiff to attempt to
16 collect on a debt that Plaintiff was not delinquent on in spite of Plaintiff’s repeated
17 explanations.

18 28. These phone calls by Defendant GCS had the natural consequence of
19 harassing, oppressing, or abusing a person in connection with the collection of the
20 alleged debt. As such, Defendant GCS’s conduct violated 15 U.S.C. §1692d and
21 California Civil Code §1788.11. Because Defendant GCS’s actions violated 15
22 U.S.C. §1692d, Defendant GCS’s conduct also violated California Civil Code
23 §1788.17.

24 29. Defendant failed within 5 days after this initial communication with
25 Plaintiff, to provide written notification containing a statement that unless the
26 consumer, within thirty days after the receipt of the notice, disputes the validity of
27 the debt, or any portion thereof, the debt will be assumed to be valid by the debtor,
28 and failed within five days after the initial communication with Plaintiff to provide

1 written notification of a statement that if the consumer notifies the debt collector in
2 writing within the thirty-day period that the debt, or any portion thereof, is
3 disputed, the debt collector will obtain verification of the debt or a copy of a
4 judgment against the consumer and a copy of such verification or judgment will be
5 mailed to the consumer with the name and address of the original creditor, thereby
6 violating 15 U.S.C. §§1692e, 1692e(10), 1692f, and 1692g. Because of this
7 omission, Defendant also violated California Civil Code §1788.17.

8 30. Plaintiff returned Defendant's telephone call on September 11, 2013
9 and September 17, 2013, and during both of these conversations, Defendant
10 advised Plaintiff that Plaintiff allegedly owed Defendant \$10,115.00 and was four
11 months behind on payments on her CHASE BANK account.

12 31. The communication made by Defendant to Plaintiff was a false,
13 deceptive, or misleading representation or means in connection with the collection
14 of the alleged debt. As such, this action by Defendant violated 15 U.S.C. §§1692e,
15 1692e(2)(A), and 1692e(10). Because Defendant's actions violated 15 U.S.C.
16 §§1692e, 1692e(2)(A), and 1692e(10), Defendant also violated California Civil
17 Code §1788.17.

18 32. This communication by Defendant failed to comply with the notice
19 required by 15 U.S.C. §1692g(a)(3) because it attempted to limit the rights
20 available to Plaintiff in a manner that creates a contradiction that would confuse
21 the least sophisticated consumer into disregarding his or her rights pursuant to the
22 validation notice required in 15 U.S.C. §1692g.

23 33. On or about October 15, 2013, after multiple calls by Defendant,
24 dating back well over thirty days, Plaintiff received a letter from GC Services
25 demanding payment on the CHASE BANK account. This letter was dated
26 September 6, 2013. This violation is especially egregious because the date of the
27 letter appears to be in compliance but the letter was not actually received within
28 five days as required by law.

FIRST CAUSE OF ACTION

Violations of the Fair Debt Collection Practices Act 15 U.S.C. § 1692 et seq.

34. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

35. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.

36. As a result of each and every Defendant's violations of the FDCPA, Plaintiff is entitled to any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

SECOND CAUSE OF ACTION

Violations of the Rosenthal Fair Debt Collection Practices Act §§ 1788-1788.32 (RFDCPA)

37. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

38. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the RFDCPA.

39. As a result of Defendant's violations of the RFDCPA, Plaintiff is entitled to any actual damages pursuant to California Civil Code § 1788.30(a); statutory damages for a knowing or willful violation in the amount up to \$1,000.00 pursuant to California Civil Code § 1788.30(b); and reasonable attorney's fees and costs pursuant to California Civil Code § 1788.30(c) from Defendant.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for:

Fair Debt Collection Practices Act

- an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) in an amount to be adduced at trial, from Defendant;
 - an award of statutory damages of \$1,000.00, pursuant to 15 U.S.C. § 1692k(a)(2)(A), from Defendant;
 - an award of costs of litigation and reasonable attorney's fees, pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

Rosenthal Fair Debt Collection Practices Act

- an award of actual damages pursuant to California Civil Code § 1788.30(a) in an amount to be adduced at trial, from Defendant;
 - an award of statutory damages of \$1,000.00, pursuant to California Civil Code § 1788.30(b), from Defendant;
 - an award of costs of litigation and reasonable attorney's fees, pursuant to California Civil Code § 1788.30(c), from Defendant.

Respectfully submitted this 22 day of January, 2014,

By:

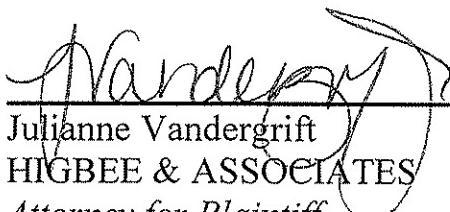
**Julianne Vandergrift
HIGBEE & ASSOCIATES
Attorney for Plaintiff**

1
2 **DEMAND FOR JURY TRIAL**
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5 Plaintiff, DENA WOODWARD hereby demands a trial by jury in the above
6 matter.
7

8 Respectfully submitted this 22 day of January, 2014,
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10 By:

11 
12 Julianne Vandergrift
13 HIGBEE & ASSOCIATES
14 Attorney for Plaintiff
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VERIFICATION

The undersigned, for herself declares:

I am the Plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The matters stated in the answer are true of my own knowledge except those matters stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the United State of America and the State of California that the foregoing is true and correct.

Executed on January 21, 2014 at Claremont, California.

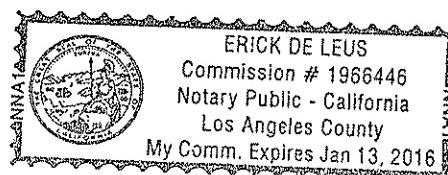
Dena Woodward
Dena Woodward

Sworn to and Subscribed before me this 21 day of

January, 2014

Notary Public E.M. de Leus

My Commission Expires 01/13/16



UNITED STATES DISTRICT COURT, CENTRAL DIVISION OF CALIFORNIA

CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) DENA WOODWARD, an individual		DEFENDANTS (Check box if you are representing yourself <input type="checkbox"/>) GC SERVICES, a limited partnership, and DOES 1 through 10,			
(b) County of Residence of First Listed Plaintiff <u>LOS ANGELES</u> (EXCEPT IN U.S. PLAINTIFF CASES)		County of Residence of First Listed Defendant <u>LOS ANGELES</u> (IN U.S. PLAINTIFF CASES ONLY)			
(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information. Mathew K. Higbee, Esq. Julianne Vandergrift, Esq. HIGBEE & ASSOCIATES 1504 Brookhollow Drive, Suite 112 Santa Ana, CA 92705		Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.			
II. BASIS OF JURISDICTION (Place an X in one box only.)		III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)			
<input type="checkbox"/> 1. U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)	Citizen of This State	PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1 Incorporated or Principal Place of Business in this State PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4		
<input type="checkbox"/> 2. U.S. Government Defendant	<input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	PTF <input type="checkbox"/> 2 DEF <input type="checkbox"/> 2 Incorporated and Principal Place of Business in Another State PTF <input type="checkbox"/> 5 DEF <input type="checkbox"/> 5		
		Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3 DEF <input type="checkbox"/> 3 Foreign Nation PTF <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6		
IV. ORIGIN (Place an X in one box only.)		6. Multi-District Litigation			
<input checked="" type="checkbox"/> 1. Original Proceeding	<input type="checkbox"/> 2. Removed from State Court	<input type="checkbox"/> 3. Remanded from Appellate Court	<input type="checkbox"/> 4. Reinstated or Reopened	<input type="checkbox"/> 5. Transferred from Another District (Specify)	
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		(Check "Yes" only if demanded in complaint.)			
CLASS ACTION under F.R.Cv.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MONEY DEMANDED IN COMPLAINT: \$ 2000.00			
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 1) Violation of the Fair Debt Collection Practices Act 15 U.S.C. § 1692 et seq. 2) Violations of the Rosenthal Fair Debt Collection Practices Act §§ 1788-1788.32					
VII. NATURE OF SUIT (Place an X in one box only).					
OTHER STATUTES	CONTRACT	REAL PROPERTY CONT	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
	<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent	
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark	
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	TORTS PERSONAL INJURY		SOCIAL SECURITY	
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 530 General	<input type="checkbox"/> 861 HIA (1395ff)	
<input type="checkbox"/> 460 Déportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 862 Black Lung (923)	
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	Other:	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))	
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 864 SSID Title XVI	
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 865 RSI (405 (g))	
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 555 Prison Condition	FEDERAL TAX SUITS	
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 560 Civil Detainee	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> Conditions of Confinement	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY		BANKRUPTCY	FORFEITURE/PENALTY	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 690 Other	
899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 365 Personal Injury-Product Liability	CIVIL RIGHTS	LABOR	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 710 Fair Labor Standards Act	
		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
		<input type="checkbox"/> 369 Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 740 Railway Labor Act	
		<input type="checkbox"/> 370 Product Liability	<input type="checkbox"/> 443 Housing/Accomodations	<input type="checkbox"/> 751 Family and Medical Leave Act	
		<input type="checkbox"/> 371 Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 790 Other Labor Litigation	
		<input type="checkbox"/> 372 Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	
		<input type="checkbox"/> 373 Product Liability	<input type="checkbox"/> 448 Education		

14-00560

FOR OFFICE USE ONLY:

Case Number:

CIVIL COVER SHEET

CIVIL COVER SHEET

III. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment may subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court?

Yes No

"no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.

STATE CASE WAS PENDING IN THE COUNTY OF		INITIAL DIVISION IN CACD IS
<input type="checkbox"/>	Los Angeles	Western
<input type="checkbox"/>	Ventura, Santa Barbara, or San Luis Obispo	Western
<input type="checkbox"/>	Orange	Southern
<input type="checkbox"/>	Riverside or San Bernardino	Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this case?

Yes No

"no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.

In the United States, or one of its agencies or employees, is a party. Is it:		INITIAL DIVISION IN CACD IS
A PLAINTIFF	A DEFENDANT	
Then check the box below for the county in which the majority of DEFENDANTS reside:		
<input type="checkbox"/>	Los Angeles	Western
<input type="checkbox"/>	Ventura, Santa Barbara, or San Luis Obispo	Western
<input type="checkbox"/>	Orange	Southern
<input type="checkbox"/>	Riverside or San Bernardino	Eastern
<input type="checkbox"/>	Other	Western

Question C: Location of plaintiffs, defendants, and claims?
(Make only one selection per row)

A Los Angeles County	B Ventura, Santa Barbara, or San Luis Obispo Counties	C Orange County	D Riverside or San Bernardino Counties	E Outside the Central District of California	F Other
-------------------------	--	--------------------	---	---	------------

Indicate the location in which a majority of plaintiffs reside:

Indicate the location in which a majority of defendants reside:

Indicate the location in which a majority of claims arose:

C.1. Is either of the following true? If so, check the one that applies:

2 or more answers in Column C

only 1 answer in Column C and no answers in Column D

Your case will initially be assigned to the SOUTHERN DIVISION.

Enter "Southern" in response to Question D, below.

If none applies, answer question C2 to the right. →

C.2. Is either of the following true? If so, check the one that applies:

2 or more answers in Column D

only 1 answer in Column D and no answers in Column C

Your case will initially be assigned to the EASTERN DIVISION.

Enter "Eastern" in response to Question D, below.

If none applies, go to the box below. ↓

Your case will initially be assigned to the WESTERN DIVISION.

Enter "Western" in response to Question D below.

Question D: Initial Division?

INITIAL DIVISION IN CACD

Enter the initial division determined by Question A, B, or C above: →

WESTERN DIVISION

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? NO YES

If yes, list case number(s): _____

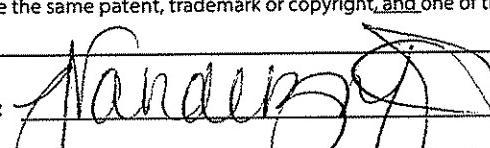
IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):** 

DATE: 1/23/14

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))